UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRUNO CHOINIERE,

        Plaintiff,

                                  CASE NO. 2:08-CV-13295
v.   HONORABLE PATRICK J. DUGGAN

S. CITCHEN, et al.,

        Defendants.
_____/

ORDER OF SUMMARY DISMISSAL

At a session of said Court, held in the U.S. District
Courthouse, City of Detroit, County of Wayne,
State of Michigan on September 12, 2008

PRESENT: HONORABLE PATRICK J. DUGGAN
U.S. DISTRICT COURT JUDGE

The Court has before it Plaintiff Bruno Choiniere's *pro se* civil rights complaint brought

pursuant to *Bivens v. Six Unknown Named Agents of the Fed. Bureau of Narcotics*, 403 U.S. 388,

91 S Ct. 1999 (1971). A *Bivens* action is considered the federal counterpart to an action brought

pursuant to 42 U.S.C. § 1983. *See Vector Research, Inc. v. Howard & Howard Attorneys P.C.*,

76 F.3d 692, 698 (6th Cir. 1996). Plaintiff is a federal prisoner currently confined at the Federal

Correctional Institution in Milan, Michigan. At the time he filed his complaint, Plaintiff did not

pay the required filing fee, nor did he submit a proper application to proceed without prepayment

of the filing fee. *See* 28 U.S.C. § 1915(a)(2); *McGore v. Wrigglesworth*, 114 F.3d 601, 605 (6th

Cir. 1997). The Court issued an Order of Deficiency on August 1, 2008 requiring Plaintiff to

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either pay the filing fee or submit a properly completed *in forma pauperis* application. The order

provided that if Plaintiff did not submit the fee or requested information within 30 days, his case

would be dismissed. Plaintiff has failed to correct the filing deficiency within the allotted time

for doing so. Accordingly, the Court **DISMISSES WITHOUT PREJUDICE** the civil rights

complaint.

        IT IS SO ORDERED.

                S/Patrick J. Duggan
                Patrick J. Duggan
                United States District Judge

Dated: September 12, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on
September 12, 2008, by electronic and/or ordinary mail. (Bruno Choiniere, #08346-027, PO Box
1000, Milan, MI 48160)

                S/Marilyn Orem
                Case Manager